

**REMARKS**

Claims 2-5, 7-10, 12-22 are pending in the present application. Applicants submit herewith a request for continued examination pursuant to 37 C.F.R. § 1.114 with this Amendment as the requisite submission. With entry of this Amendment, Applicants amend claims 16, 17 and 19-22 and cancel claims 2-5, 7-10 and 12-15 without prejudice. Reexamination and reconsideration are respectfully requested.

**IDS**

Applicants respectfully submit that a supplemental Information Disclosure Statement with an accompanying form PTO-1449 was submitted on July 27, 2004, but there is no indication that the Examiner has considered it. Applicants attach hereto a copy of the filed IDS, a copy of the filed form PTO-1449 and accompanying documents and a copy of a stamped postcard from the USPTO indicating receipt. Accordingly, Applicants respectfully request that Examiner consider the IDS.

**Rejection Under § 102(b)**

The Examiner rejected claims 16, 18, 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by Ferguson (U.S. Patent No. 5,966,697). The rejection is respectfully traversed for each claim as set forth below.

**Claim 16**

The present invention, as set forth in claim 16, is directed to a site computer. It allows a user to purchase items from a plurality vendors belonging to different countries by accessing only one website. It thus avoids the need to access the website of each vendor individually.

The site computer, as recited in amended claim 16, has a transmitting portion for transmitting "item list information for displaying an item list on one screen to the user computer, wherein the item list information shows at least one first item dealt by the first vendor, the first

vendor belonging to a first country, and at least one second item dealt by the second vendor, the second vendor belonging to a second country different than the first country, the first and second items being copyrighted, whereby the user computer displays an item list based on the item list information.”

Support for this recitation is found throughout the specification and drawings. For example, Fig. 5 illustrates a display on one screen of a user’s computer based on item list information transmitted by a site computer. The screen shows a MIDI collection for the artist “ABC” being sold by a UK vendor and a piano score by ABC being sold by a US vendor.

The site computer further comprises a receiving portion for receiving “from the user computer, simultaneous designation of the first and second items displayed on the item list and dealt by the first and second vendors” and a second transmitting portion for instructing “a first vendor computer to send out the first item and a second vendor computer to send out the second item based on the simultaneous designation of the first and second items.”

Support for these recitations is found throughout the specification and drawings. For example, as illustrated in Fig. 7, web site 20A receives the order of two items from user 60B and transmits the order to a US vendor 30A and a UK vendor 30B.

In contrast, Fergerson fails to disclose the claimed site computer. Fergerson discloses a process in which a user accesses the website of individual merchants. As illustrated in Fig. 3, this is a serial process in which the user accesses only one merchant at a time. For each merchant, the user receives the product data of the merchant and makes a selection as illustrated in steps 410 and 412 of Fig. 4.

Thus, there is no disclosure of a site computer that provides on one screen an item list of items from at least two merchants in two different countries. Rather, the user simply accesses each merchant’s website individually to obtain and select their product data. Thus, Fergerson fails to disclose a site computer having “a transmitting portion for transmitting item list information for displaying an item list on one screen to the user computer, wherein the item list information shows

at least one first item dealt by the first vendor, the first vendor belonging to a first country, and at least one second item dealt by the second vendor, the second vendor belonging to a second country different than the first country, the first and second items being copyrighted, whereby the user computer displays an item list based on the item list information.”

Because Ferguson fails to disclose the recited transmission portion, it necessarily fails to disclose a site computer having a receiving portion for receiving “simultaneous designation of the first and second items displayed on the item list and dealt by the first and second vendors” as well as a second transmitting portion for instructing “a first vendor computer to send out the first item and a second vendor computer to send out the second item based on the simultaneous designation of the first and second items.”

Applicants note that Ferguson discloses a checkout processor that receives the selection data corresponding to the items selected by the user. (See Fig. 1 and Col. 9, lines 29-38.) Ferguson further discloses that the user can review an order of the selected items during the checkout process. (See Col. 9, lines 42-48; Col. 10, lines 6-7.) As illustrated in Fig. 9E, the order lists selections from different merchants for review and modification. Applicants note this display is made only after the user has laboriously visited each merchant and made his selections. There is no disclosure in Ferguson of first transmitting this list to a user for selection.

Accordingly, Applicants respectfully submit that claim 16 is not anticipated by Ferguson for the reasons set forth above.

Finally, Applicants note that the site computer’s instructions to the first and second vendor computers enables the vendor computers to communicate with their respective copyright trustee regarding payment of royalties. Applicants have amended claim 16 to recite: “whereby the first vendor computer communicates with a computer belonging to a first trustee of a copyright relating to the first item to execute the procedure for payment of a royalty, the first trustee of the copyright belonging to a country belonging to the first vendor and the second vendor computer communicates with a computer belonging to a second trustee of a copyright relating to the second

item to execute the procedure for payment of a royalty, the second trustee of the copyright belonging to a country belonging to the second vendors.”

Support for this recitation is found throughout the specification and drawings. For example, Fig. 7 illustrates the vendors 30A and 30B communicating with their respective copyright trustees 70A and 70B.

While it is believed that the first three recitations of claim 16 discussed above clearly render claim 16 patentable over Ferguson, Applicants note that Ferguson fails to disclose this recitation as well.

#### Claims 17-20

Claims 17-20 depend from claim 16. Applicants note that the Examiner has withdrawn claims 17 and 19, but has considered claim 20 which depends from claim 19. In view of the patentability of generic claim 16 over Ferguson, Applicants respectfully request that the Examiner consider claims 17 and 19 and allow them along with claims 18 and 20. To that end, amendments have been made to withdrawn claims 17 and 19 and pending claim 20.

#### Claims 21 and 22

Independent claims 21 and 22 have been amended in a manner similar to claim 16. It is believed that these claims are likewise in condition for allowance for at least the reasons set forth above with respect to claim 16. Accordingly, the Examiner is respectfully requested to pass this application to issue.

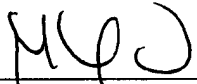
If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032023900.

Attachments: IDS dated July 27, 2004, Form 1449, stamped postcard, and 6 foreign references

Dated: May 17, 2006

Respectfully submitted,

By   
Mehran Arjomand

Registration No.: 48,231  
MORRISON & FOERSTER LLP  
555 West Fifth Street, Suite 3500  
Los Angeles, California 90013  
(213) 892-5200